

EXHIBIT 3

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Current Through the Laws of 2010, chapters 1 to 59 and
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\$ 25.27**ARTS AND CULTURAL AFFAIRS****ARTICLE 25—TICKETS TO PLACES OF ENTERTAINMENT**

*[Eff. until May 16, 2011, pursuant to L.1991, c. 704, § 4.
See also, Art. 25 Theatre Tickets, ante.]*

Section

- 25.01. Legislative findings.
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- 25.05. Repealed.
- 25.07. Ticket prices.
- 25.08. Additional printing on tickets.
- 25.09. Ticket speculators.
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- 25.13. Licensing of ticket resellers.
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- 25.27. Commissions to employees of places of entertainment.
- 25.29. Unlawful charges in connection with tickets.
- 25.30. Operator prohibitions.
- 25.31. Suspension or revocation of licenses.
- 25.33. Private right of action.
- 25.35. Criminal penalties.

Historical and Statutory Notes**L.2010, c. 151 legislation**

L.2010, c. 151, § 11, provides:

"Notwithstanding the provisions of article 5 of the general construction law, if this act shall take effect after May 15, 2010, the provisions of article 25 of the arts and cultural affairs law, except section 25.11, are hereby revived and shall continue in full force and effect as they existed on May 15, 2010 through May 15, 2011, when upon such date such provisions shall expire and be deemed repealed."

L.2007, c. 61 legislation

L.2007, c. 61, § 19, as amended by L.2007, c. 374, § 12, eff. July 18, 2007, provides:

"This act shall take effect immediately, provided this chapter shall not take effect with respect to the issuance of licenses or certificates under this article by the secretary of state or department of state until January 1, 2008 and regulation under this article by the commissioners of licenses of the political subdivisions of the state shall continue through December 31, 2007, and provided further,

that the amendments to article 25 of title G of the arts and cultural affairs law made by sections one through fifteen of this act shall not affect the repeal of such article and shall be deemed repealed therewith, and provided further that section seventeen of this act shall take effect upon the reversion of article 25 of title G of the arts and cultural affairs law pursuant to section 4 of chapter 704 of the laws of 1991, as amended."

L.2005, c. 106 legislation

L.2005, c. 106, § 11-a, added by L.2005, c. 134, § 6, eff. June 30, 2005, deemed eff. June 14, 2005, provides:

"Notwithstanding the provisions of article 5 of the general construction law, the provisions of article 25 of title G of the arts and cultural affairs law are hereby revived and shall continue in full force and effect as they existed on May 31, 2005 and shall be subject to the repeal and reversion of such article pursuant to chapter 704 of the laws of 1991, as amended."

L.1991, c. 704 legislation

L.1991, c. 704, § 4, amended L.1994, c. 319, § 1; L.1995, c. 114, L.2007, c. 61, § 1, eff. May 3,

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§ 1; L.1996, c. 28, § 1; L.1997, c. 632, § 1, deemed eff. June 1, 1998, c. 73, § 1, eff. June 1, 1999, c. 60, § 1, eff. June 1, 2000, c. 42, § 1, eff. June 1, 2001, c. 48, § 1, eff. May 3, 2001, deemed eff. June 1, 2001; L.2001, c. 56, § 7, eff. June 8, 2001; L.2002, c. 68, § 1, eff. June 10, 2003; L.2003, c. 106, § 10, eff. June 14, 2005; c. 61, § 1, eff. May 31, 2007; c. 374, § 11, eff. July 18, 2007; L.2009, c. 63, § 2, eff. July 1, 2009; L.2010, c. 151, § 5, eff. July 2, 2010, p.

"This act [adding Arts and Cultural Affairs Law article 25, set out repealing Arts and Cultural Affairs Law article 25, set out for amending McKinney Unconsolidated § 8919] shall take effect on the tenth day after it shall have become law [became law Aug. 2, 1991, Oct. 1, 1991], provided that the laws of 2007 shall not take effect with respect to the issuance of licenses or certificates under this article by the secretary of state or department of state until January 1, 2008, and regulation under this article

§ 25.01. Legislative findings

*[Eff. until May 16, 2011.
See also, § 25.01 in Article 25]*

The legislature finds and declares that admission to places of entertainment and subject to the supervision of the political subdivisions of the state against fraud, extortion, and corruption.

The legislature further finds and declares that New York state often from time to time claims that businesses do not conform to the provisions of this statute when selling tickets, regardless of the seller. It is the legislature's intent that persons reselling tickets to the extent of the state's power and that this article be construed to the extent of the state's power.

(Added L.1991, c. 704, § 4; L.1994, c. 319, § 1; L.1995, c. 114, § 1; L.2007, c. 61, § 1, eff. May 3, 2007.)

**§ 25.05
Repealed**

tickets at a price over face value, i.e., a "scalper," complies with legislative intent in enacting statute entitled "ticket speculators." People v. Salmon, 1984, 125 Misc.2d 221, 478 N.Y.S.2d 780, Public Amusement And Entertainment § 70.

3. Selective enforcement.

Allegation by defendant charged with conducting business of selling ticket to performance at county coliseum without being authorized to do so, in violation of "ticket speculators" statute, that such statute was selectively enforced at particular coliseum failed to establish enforcement of ticket speculators statute was of such an "invidious discriminatory nature" so as to violate the equal protection clause, since violations of ticket speculators statute had occurred at colise-

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um; therefore, enforcement of such statute should be considered a proper and expected means of police deterrence. People v. Salmon, 1984, 125 Misc.2d 221, 478 N.Y.S.2d 780, Constitutional Law § 37.10(2), Criminal Law § 37.10(2), Public Amusement And Entertainment § 5.

4. Allegations, sufficiency of.

Allegation that defendant solicited complainant to purchase one ticket of admission to performance at county coliseum without being authorized to do so was sufficient to charge defendant with conducting "the business of selling" in violation of statute proscribing ticket speculation. People v. Salmon, 1984, 125 Misc.2d 221, 478 N.Y.S.2d 780, Public Amusement And Entertainment § 176.

§ 25.07. Ticket prices.

*[Eff. until May 16, 2011, pursuant to L.1991, c. 704, § 4.
See also, § 25.07 in Art. 25 Theatre Tickets, ante.]*

1. Every operator of a place of entertainment shall, if a price be charged for admission thereto, print or endorse on the face of each such ticket the established price, or the final auction price if such ticket was sold or resold by auction through the operator or its agent.

2. Notwithstanding any other provision of law, any person, firm or corporation, regardless of whether or not licensed under this article, that resells tickets or facilitates the resale or resale auction of tickets between independent parties by any means, must guarantee to each purchaser of such resold tickets that the person, firm or corporation will provide a full refund of the amount paid by the purchaser (including, but not limited to, all fees, regardless of how characterized) if any of the following occurs: (a) the event for which such ticket has been resold is cancelled, provided that if the event is cancelled then actual handling and delivery fees need not be refunded as long as such previously disclosed guarantee specifies that such fees will not be refunded; (b) the ticket received by the purchaser does not grant the purchaser admission to the event described on the ticket, for reasons that may include, without limitation, that the ticket is counterfeit or that the ticket has been cancelled by the issuer due to non-payment, or that the event described on the ticket was cancelled for any reason prior to purchase of the resold ticket, unless the ticket is cancelled due to an act or omission by such purchaser; or (c) the ticket fails to conform to its description as advertised unless the buyer has pre-approved a substitution of tickets.

3. Prior to the payment of a refund it shall be the obligation of the seller and purchaser to first make a good faith effort to remedy any

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disputes where the seller established by the licensee to disputes as a condition to

b. 5. *Repealed by L.2005*
(Added L.1991, c. 704, § 1; L.2005, c. 107, § 1, eff. June 1, 2006; L.2007, c. 61, § 3, eff. May 16, 2007.)

Histori

L.2010, c. 151 legislation
L.2010, c. 151, § 11, provi

"Notwithstanding the provisions of article 5 of the general con law, if this act shall take effect on May 15, 2010, the provisions of article 25 of the arts and cultural affairs, except section 25.11, are hereby revived and shall continue in full force and effect as they existed on May 15, 2010, through May 15, 2011, upon such date such provisions shall expire and be deemed repealed."

L.2007, c. 374 legislation

L.2007, c. 374, § 13, provi
"This act shall take effect ately, provided, however, amendments to article 25 of the arts and cultural affairs by sections one through ten of this act shall not affect the repeal of article 25 and shall be deemed therewith."

L.2007, c. 61 legislation

L.2007, c. 61, § 19, as am L.2007, c. 374, § 12, eff. July 1, 2007.

"This act shall take effect ately, provided this chapter take effect with respect to issuance of licenses or certificates of this article by the secretary or department of state until July 1, 2008 and regulation under this chapter by the commissioners of the political subdivisions of the state shall continue through December 31, 2007, and provided that the amendments to article G of the arts and cultural law made by sections one through fifteen of this act shall not repeal of such article and deemed repealed therewith;"

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Therefore, enforcement of such should be considered a proper means of police deterrence. People v. Salmon, 1984, 125 Misc.2d 221, 478 N.Y.S.2d 780. Criminal Law § 3789; Criminal § 37.10(2); Public Amusement Entertainment § 176

egations, sufficiency of action that defendant solicited intent to purchase one ticket of admission to performance at county fair without being authorized to do so was sufficient to charge defendant conducting "the business of" in violation of statute prohibiting ticket speculation. People v. Salmon, 1984, 125 Misc.2d 221, 478 N.Y.S.2d 780. Public Amusement Entertainment § 176

to L.1991, c. 704, § 4. [Amended by L.1991, c. 704, § 4, effective January 1, 1992.]

ment shall, if a price be paid or endorsed on the face of each final auction price if such is paid by the operator or its agent. of law, any person, firm or corporation licensed under this article, or resale auction of tickets s, must guarantee to each person, firm or corporation it paid by the purchaser (unless of how characterized) t for which such ticket has been issued. If the event is cancelled then be refunded as long as such fees will not be rchaser does not grant the on the ticket, for reasons he ticket is counterfeit or er due to non-payment, or is cancelled for any reason the ticket is cancelled due to (c) the ticket fails to unless the buyer has pre-

all be the obligation of the faith effort to remedy any

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